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ABSTRACT

This report provides an overview and analysis of the Clinton Administration's school reform proposal, Goals 2000: Educate America Act, submitted to the 103d Congress on April 22, 1993. The proposal, which seeks to create a national structure for supporting school reform, addresses three primary topics: (1) education goals, standards, and assessments; (2) state and local educational reform; and (3) work force standards. Achievement of educational goals, standards, and assessments would involve the establishment in law of the National Education Goals Panel (NEGP) and the National Education Standards and Improvement Council (NESIC). The legislation would also authorize State and Local Education Systemic Improvement grants to support state and local education systemic improvement. Finally, it would establish a National Skill Standards Board (NSSB) to develop a national system of voluntary occupational standards and certification. Each of these facets of the proposed legislation is succinctly detailed in this report. (LMI)

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Goals 2000: Educate America Act Overview and Analysis

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GOALS 2000: EDUCATE AMERICA ACT
OVERVIEW AND ANALYSIS

SUMMARY

Goals 2000: Educate America Act is the Clinton Administration's school reform proposal submitted to the 103d Congress on April 22, 1993 for its consideration. The proposal seeks to create a national structure for supporting school reform. It would establish in law (1) the National Education Goals and their objectives adopted by President Bush and the Nation's Governors in 1990, and (2) a modified form of the National Education Goals Panel already put in operation by President Bush and the Governors to monitor progress toward the Goals. It would create a new National Education Standards and Improvement Council (NESIC) to certify voluntary national content and performance standards, opportunity-to-learn standards, and State-level standards and assessment systems. The legislation would also authorize State and Local Education Systemic Improvement grants to support State and local systemwide education reform, including State-adopted curriculum content and student performance standards, and assessments. Finally, it would establish a new National Skill Standards Board to develop a national system of voluntary occupational skill standards and certification.

Among the questions raised by the legislation are the following:

- Should it be required that students have an opportunity to master new content standards **before** NESIC-certified State assessments affect their educational placement and progress?

- Should the standards and assessment systems developed by States and localities under the legislation's reform grant program be required to obtain NESIC certification?

- Do the State and local systemic reform initiatives supported by the legislation strike an appropriate balance between "top-down" and "bottom-up" influences on reform activities?

- With goals- and standard-setting, and creation of assessment systems already ongoing in the Nation, how necessary is Federal support, and what effect will the relatively small amount of requested funding have?

- Should the legislation's regulatory flexibility authority be provided only in exchange for other, outcome-based requirements?

- How will the skills developed by the National Skills Standards Board relate to generic workforce standards already developed?

- Are further steps necessary to ensure that employers, schools, and other training providers will voluntarily adopt the Board's occupational standards and certification?

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GOALS 2000: EDUCATE AMERICA ACT
OVERVIEW AND ANALYSIS

INTRODUCTION

This report provides an overview and analysis of the Clinton Administration's school reform bill, Goals 2000: Educate America Act, submitted to the Congress on April 22, 1993.[1] As submitted by the President, Goals 2000 addresses three primary topics--(1) education goals, standards, and assessments; (2) State and local educational reform; and (3) workforce standards. Each of these topics is briefly analyzed below.

The total authorized appropriation level for Goals 2000 for FY 1994 is $420 million. The specific appropriations authorization levels in the proposal are:

- National Education Goals Panel--$3 million for FY 1994 and such sums as necessary for FY 1995-FY 1998
- National Education Standards and Improvement Council--$3 million for FY 1994 and such sums as necessary for FY 1995-FY 1998
- Opportunity-to-Learn standards development grant--$1 million for FY 1994 and such sums as necessary for FY 1995
- State and local assessment systems grants--$5 million for FY 1994 and such sums as necessary for FY 1995-FY 1998
- State and Local Education Systemic Improvement grants--$393 million for FY 1994 and such sums as necessary for FY 1995-FY 1998
- National Skill Standards Board--$15 million for FY 1994 and such sums as necessary for FY 1995-FY 1999

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[1]This proposal has its roots in the Neighborhood Schools Improvement Act considered, but not enacted, by the 102d Congress. See, U.S. Library of Congress. Congressional Research Service. *National Education Goals and Federal Policy Issues: Action by the 102d Congress*. CRS Report for Congress No. 92-884 EPW, by Wayne C. Riddle and James B. Stedman. Washington, 1992. The proposal was introduced in the House as H.R. 1804 (Kildee, et al.).

EDUCATION GOALS, STANDARDS, AND ASSESSMENTS

National Education Goals

Title I of Goals 2000 would enact into law the National Education Goals and a series of objectives for each Goal adopted by President Bush and the Nation's Governors in 1990. The Goals, to be achieved by the year 2000, call for improvements in readiness to begin school; high school graduation rates; students' mastery of the curriculum; math and science achievement compared to that of other nations; adult literacy and skills; and elimination of drug abuse and violence in the schools.[2]

Among the questions raised by these provisions are the following:

- The legislation modifies one of the Goals, adding "foreign languages" and "arts" to the curricular areas in which students are to demonstrate competency (Goal 3). Should these changes be made? Should the legislation establish a procedure for future reevaluation and modification of the Goals?

- Similar legislation considered in the 102d Congress identified specific Federal actions that should be taken to achieve the Goals and objectives. Should such action be delineated in this legislation or be identified by the Secretary of Education?

National Education Goals Panel

Title II of the proposed legislation establishes the National Education Goals Panel (NEGP) in the executive branch. An organization called NEGP was created without specific Federal statutory authority in 1990 by President Bush and the Governors to monitor and report on progress toward the National Education Goals; it appears that this Panel would become the newly authorized NEGP. Goals 2000 provides that current members of NEGP would not have to be reappointed. The legislation expands the current 14 member panel[3] by adding positions for 4 State legislators (not more than 2 from the President's political party). NEGP is to be responsible for an annual report on national and State-level progress toward the Goals; nominating members for the National Education Standards and Improvement Council (NESIC--described below); approving the criteria developed by NESIC for standards and assessments (described below); approving the standards certified by NESIC; and building a national consensus on necessary reform actions. The legislation authorizes $3

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[2]The Goals and objectives as agreed to in 1990 are delineated in U.S. Library of Congress. Congressional Research Service. *National Education Goals: Where Are We Now?* CRS Report for Congress No. 90-169 EPW, by James B. Stedman, et al. Washington, 1990.

[3]The Panel membership is made up at present of two representatives of the Administration, eight Governors (three from the President's political party), and four members of Congress (one member each appointed by the majority leader of the Senate, the minority leader of the Senate, the majority leader of the House, and minority leader of the House).

million for NEGP and its activities for FY 1994 and such sums as necessary for the succeeding 4 fiscal years.

Among the questions raised by these provisions are the following:

- Activities in support of national education reform are underway in many Federal agencies, such as the U.S. Department of Education, the U.S. Department of Energy, and the National Science Foundation. Beyond an annual reporting requirement (discussed below), what role will, and should, NEGP play in developing and directing a coordinated Federal approach to education reform among all of these agencies?

- As established in 1990, the Panel was charged with reporting on the Federal financial role in supporting the Goals, Federal statutory and regulatory impediments to educational improvement, and Federal mandates that consume States' educational resources. The proposed legislation only requires the annual report to identify the steps that Federal, State, and local Governments need to take for progress toward the Goals. Should the broader array of reporting requirements be continued?

- As originally chartered, the Panel required the vote of a "super" majority (three-fourths of voting members) of the membership for action. This, it was charged, permitted a small minority of the membership to veto any action. The proposal is silent on this issue for NEGP. Should the legislation specify that action by NEGP will be taken only upon a majority vote of the total membership?

Standards, Assessments, and NESIC

Title II of the legislation gives NESIC responsibilities regarding national content and student performance standards, national opportunity-to-learn (OTL) standards, and assessments of student performance. As defined by the legislation:

- **content standards** broadly describe the knowledge and skills that students should gain in specific subject areas;

- **performance standards** define, and provide examples of, what students need to be able to do to demonstrate proficiency under the content standards; and

- **OTL standards** define what resources and services need to be provided to give all students a fair opportunity to attain the knowledge and skills called for in the content standards.

The legislation establishes NESIC in the executive branch with 20 members, 5 members each from the following sectors--professional elementary and secondary educators; business and higher education institutions; various

groups, such as advocacy and civil rights groups; and experts in education measurement, assessment, curriculum, finance, equity, and reform. The authorization level is set at $3 million for FY 1994 and such sums as necessary for the succeeding 4 fiscal years.

The NESIC has responsibility for determining the subject areas in which voluntary national content standards should be developed. It is charged with developing the **criteria** to be applied in **certifying** voluntary national content and student performance standards. These criteria must consider whether proposed standards are comparable to the world's best, reflect the best knowledge about learning and teaching, and have been developed through a broadly participatory open procedure. In developing these criteria, NESIC is to work with organizations that have already developed, or are developing, national content standards. Based on its criteria, NESIC will then certify national content and performance standards. As noted earlier, NEGP has to approve both the criteria and the certified standards.

A similar process will be followed with regard to voluntary national OTL standards. NESIC will develop certification criteria for OTL standards and certify a set of such standards. Both the criteria and certified standards must be approved by NEGP. NESIC-certified OTL standards must address such aspects of the educational process as availability and quality of the curriculum, instructional materials, technologies, and teachers. To develop the OTL standards, the Secretary of Education is authorized to make a competitive grant to a consortium. Such consortium is to include, if possible, a wide range of individuals such as governors, chief State school officers, teachers, parents, students, business representatives, and members of advocacy groups. The authorization level for this grant by the Secretary is $1 million for FY 1994 and such sums as necessary for the succeeding fiscal year.

The NESIC may also certify those content, performance, and OTL standards voluntarily submitted by **States**. It is to develop certification criteria for State assessment systems and certify those systems if they are aligned with NESIC-certified State level content standards. The certification **criteria** have to be approved by NEGP. The legislation requires the assessment criteria to address assessment systems' alignment with certified content standards, validity, reliability, fairness, nondiscriminatory nature, and inclusion of all students, particularly those who are disabled or have limited English proficiency. Further, certified State assessment systems cannot be used for certain "high stakes" purposes--students' graduation, grade promotion, or retention--for a 5-year period beginning with enactment of the legislation.

In addition, the Secretary of Education is authorized to award grants to State and local educational agencies for developing and evaluating assessment systems aligned with NESIC-certified State content standards. Any assessments supported by these grants cannot be used for certain "high stakes" purposes--placement, promotion, retention, graduation, or employment--for a 5-year period beginning upon enactment of the legislation. These proscribed uses are broader than those for NESIC-certified State assessment systems (see above), adding

placement and employment. There is authorized $5 million for these State assessment development grants for FY 1994 and such sums as necessary for the succeeding 4 fiscal years.

The NESIC is responsible for regularly reviewing and updating the criteria it uses for certification of content and performance standards, OTL standards, and State assessment systems.

Further, NESIC is to work with the National Skill Standards Board (discussed below) to coordinate the development of content and performance standards with the development of workplace skill standards (discussed below).

Among the questions raised by the legislation regarding standards, assessments, and NESIC are the following:

- Various associations of educators and other experts in different fields are currently engaged in developing national content standards. The National Council of Teachers of Mathematics has already developed standards in mathematics. Nearly all of the ongoing efforts are federally funded. What role will NESIC certification play in this process? Given the requirement that NESIC "work with" organizations that have already developed or are developing standards, how independent will the NESIC certification process be for their standards? Will NESIC certify **several** national standards in an individual subject area?

- The legislation authorizes funds for a grant to a **single** consortium for development of national OTL standards. Further, NESIC is to coordinate its OTL activities with those of the funded consortium to ensure that the OTL standards the consortium develops are "consistent" with NESIC's OTL certification criteria. How will NESIC address certification of the consortium's OTL standards if those standards were developed in cooperation with the Council itself? Is this set of standards to be the only one that NESIC can consider for certification?

- Many have argued that assessments tied to content standards should not have serious consequences for students **until** they have had an opportunity to learn. Why are the "high stakes" uses of NESIC-certified assessments tied only to the date of enactment of the legislation (such uses are proscribed for a 5-year period following enactment)? Should the prohibition against "high stakes" use of NESIC-certified or federally funded State assessment systems, instead, be linked directly to implementation of reforms based on NESIC-certified State content standards and OTL standards?

- The NESIC has a wide range of responsibilities, including highly technical tasks such as certifying State assessment systems. It is likely that fewer than five members of the Council will be experts in

assessment and measurement. Further, NESIC will have responsibility for content standards in a wide range of subject areas, presumably not all of which will be represented on the Council. Although the legislation authorizes NESIC to secure the temporary services of experts and consultants, is the composition of NESIC appropriate for its responsibilities?

STATE AND LOCAL EDUCATION SYSTEMIC IMPROVEMENT

Title III would authorize grants to the States for "systemic reform" of elementary and secondary education. While definitions of "systemic reform" of schools vary, the proposal implicitly defines it as raising the level, and increasing the coordination, of curriculum content, pupil assessments, teacher and other professional preparation and development, plus instructional materials and technology. States and local educational agencies undertaking systemic reform should also consider changes in the governance and management of schools, plus the provision of resources in all schools that will be sufficient to assure that pupils have an adequate opportunity to learn the challenging curriculum and perform well on the assessments.

Implicit in the concept of systemic reform is the judgment that the education reforms that have been adopted in virtually every State over the past decade have been helpful but "piecemeal"--i.e., they focused on one or a few of the primary aspects of the system, or on particular strategies thought to be especially effective in stimulating reform, but they were generally uncoordinated and incoherent. The linkages between such system elements as curriculum content, pupil assessments, and teacher preparation were rarely effectively addressed. Systemic reform attempts to meet this need, following the examples of selected States--particularly Kentucky, and to a lesser extent California--that in recent years have attempted to review, revise, and make more coherent all major, policy-relevant aspects of elementary and secondary education.

The proposal would authorize grants for 5 years, with a maximum funding level of $393 million for FY 1994 and such sums as necessary for each of FY 1995-1998. After reservation of 1 percent of these funds for services in Bureau of Indian Affairs schools and up to 6 percent for national activities (including peer review of State plans, technical assistance, research, and dissemination), the remainder of these funds would be allocated to the States--one-half each in proportion to previous year grants under chapter 1 (education for the disadvantaged) and chapter 2 (block grant) of title I, Elementary and Secondary Education Act (ESEA).

State and Local School Improvement Plans

States would submit applications describing how they will develop and implement a school improvement plan.[4] The plan must be prepared by a broadly representative panel appointed by the Governor and the State education agency (SEA). This plan must provide for the adoption of: challenging curriculum content and performance standards for all students; effective educational practices, assessments, professional preparation and development, plus technology to help students meet those standards; OTL standards; any needed changes in education system management and governance, including support for local educational agencies (LEAs); and strategies to provide comprehensive educational, social, health, and other services to meet the needs of all students. The OTL standards must include a timetable for all schools in the State to meet them, with progress reports to be made to the public. Governance and management policies should focus on outcomes for pupils, provide incentives for high performance, and increase flexibility for LEAs and schools. The State should also attempt to maximize input by LEAs, teachers, and parents into the development and implementation of the plan.

Beginning in the second year, at least 85 percent of funds must be allocated to localities under two types of grants--local reform and professional development. Local reform grants are to be competitive and based on plans developed by broad-based panels. Local plans must address many of the same elements as the State plan, and include State or Federal regulations that the LEA requests to have waived because they "impede educational improvement." Beginning in the second year, at least 85 percent of local reform grants must be used at the school level, with at least one-half of these funds used in schools with low student achievement or other special needs. States must also make a separate series of subgrants to consortia of LEAs, institutions of higher education, and private nonprofit organizations to improve preservice teacher education programs and support sustained professional development activities. At least one-half of all local subgrants must be made to LEAs with higher numbers or percentages of children from low income families than the State average.

Regulatory Waivers

Title III of Goals 2000 also includes authority for waiving statutory or regulatory requirements under several Federal programs of aid to elementary and secondary education. Similar waiver authorities were considered, but not finally adopted, by the 101st and 102d Congresses. The proposed authority is limited in that requirements may be waived "if, and only to the extent that, the Secretary determines that such requirement impedes the ability . . . [of a State or LEA] . . . to carry out the State or local education improvement plan" (sec. 310(a)(1)(A)). Further, the list of Federal programs for which requirements may

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[4]This requirement may be waived if the State has already established a panel or prepared an improvement plan that the U.S. Secretary of Education determines to be an adequate substitute. All State plans would first be considered by a peer review panel.

be waived is relatively short, although it includes some of the largest elementary and secondary education programs.[5] However, the authority is expansive in that there are no limits on the number of schools, LEAs, or States for which regulations may be waived.[6]

Certain types of regulations could **not** be waived, including some fiscal accountability requirements (maintenance of effort and comparability of services), fund allocation provisions, plus requirements for parental involvement and equitable participation for pupils attending private schools. There is no mention of civil rights regulations; however, since they are not directly part of the statutes for which requirements may be waived, presumably they would remain in effect. Requirements could be waived for 3 year periods, which could be extended if the Secretary determines that they have helped States or LEAs carry out their reform plans. Unlike major proposals considered by the 102d Congress, States or LEAs receiving waivers would not be required to meet additional accountability requirements based on outcomes for disadvantaged or other pupils. Nor is there a requirement for an independent evaluation of the effects of the waivers.

States receiving title III grants would have to make annual reports to ED on progress toward implementing their plans and meeting their goals. The Secretary would submit to Congress an analysis of these reports plus a description and analysis of the technical merit and fairness of pupil assessments developed with support under title II of the proposal, including the impact of assessments on students of all types.

Among the questions raised by title III of Goals 2000 are the following:

- While States are required to develop OTL standards and establish a timetable for implementing them, there are no requirements that State OTL standards be certified by the NESIC or be consistent with any national standards, nor any time limit for implementation of them. Should the legislation require State OTL standards to be certified and to be implemented by a specified time in order for a State to continue receiving grants? Why is there no reference to State school finance disparities with respect to OTL, as there was in the 102d Congress bills?

- The Secretary would have broad authority to accept previous State plans or panels as meeting the requirements of this proposal, even if they do not meet all of the requirements applied to new panels and

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[5]Requirements could be waived for ESEA title I, chapters 1 and 2; title II, part A (Eisenhower mathematics and science education program); title IV, part D (immigrant education); title V (drug-free schools); and the Carl D. Perkins vocational education program. Major exceptions to this list include the Bilingual Education Act (ESEA title VII) and the Individuals with Disabilities Education Act (IDEA).

[6]Legislation passed by the House in 1992 would have authorized waivers under a wider range of ED and other agency programs, but only in a maximum of 75 schools in 20 LEAs of 10 States.

plans. Does this mean that some State plans may not address all aspects of systemic reform, or some State panels might not be broadly representative of the State's population or get a wide range of input?

- The proposal emphasizes both the development and implementation of State plans, as well as "bottom up" reform efforts. Is there an "appropriate" balance between State leadership and local initiative, especially at the level of individual schools? Should there be greater emphasis on broad local community involvement in the development of local reform plans?

- The regulatory waiver proposal does not require States or LEAs to develop or meet additional, outcome-based requirements. Although it includes relatively few Federal programs, it could be applied in all LEAs and schools. Should new accountability requirements be substituted for waived requirements, as in most past regulatory waiver proposals? Should the waiver authority cover more Federal programs, including non-ED programs? Alternatively, should the waivers be demonstrated first in a limited number of LEAs and schools?

- Several States are undertaking systemic reform efforts already, and they may be limited more by a lack of funds than a lack of desire to carry out this process. Does this proposal, with its authorization of $393 million (less than one-half of the authorized level under the conference version of similar 1992 legislation), offer sufficient Federal leadership and financial support to make a significant impact on the systemic reform trend?

- The proposal contains no provisions regarding private schools and their pupils. Further, authority to use funds for school choice activities is limited to public schools. Is there no role for private schools in State systemic reform?

- Unlike similar 1992 legislation, this proposal places little emphasis on developing innovative new school structures, through designs such as those supported by the New American Schools Development Corporation. Should there be greater support of efforts to "reinvent" the public school?

- There is no requirement that assessments developed or adopted by States with assistance under this new program be certified by the NESIC, nor that State curricula be consistent with nationally certified content standards. Should States be required, as a condition of continued receipt of funds, to use certified assessments or curricula in line with certified content standards, or at least to apply for certification of their assessments? What are the disadvantages of leaving all decisions regarding these connections to the States?

NATIONAL SKILL STANDARDS BOARD

Title IV of the proposal authorizes a National Skill Standards Board (NSSB) to develop a national system of voluntary occupational standards and certification. Appointed by the President and Congress, members of the board would represent relevant Federal Agencies, business and industry, labor, and other institutions such as education and training organizations. The Act charges the board with identifying broad clusters of occupations and for each cluster developing skill standards; an assessment and certification system; and systems to evaluate the board's work, to disseminate information about the standards and certification, and to update standards as changes in the workplace warrant. The legislation provides for coordination with the educational standards authorized in title II by requiring that the chair of NESIC be a member of the NSSB, that the board's skill standards "take into account" performance and content standards established under title II, and that the NSSB establish "cooperative arrangements" with the NESIC to provide for coordination. The legislation authorizes $15 million for FY 1994 and such as necessary for the next five fiscal years.

Among the questions raised by the NSSB are the following:

- How will skills developed by the NSSB be related to more generic workforce standards developed by SCANS?[7]

- Given that the participation of employers, training providers, and others is voluntary, are incentives necessary to promote participation or will creation of useful standards and NSSB dissemination of information on standards be sufficient to ensure that participation will be widespread?

- Are "cooperative arrangements" with NESIC and one joint member of the NSSB and the NESIC sufficient to ensure that skill standards and content and performance standards will be compatible and integrated?

- Is the end of 1995 too soon to expect the NSSB to identify "a substantial proportion" of major occupational clusters and "ensure the development of standards" for these clusters?

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[7]The Department of Labor's Secretary's Commission on Achieving Necessary Skills (SCANS) has developed a set of general workforce skills, which include, for example, skills related to working in teams as well as basic and more advanced academic skills and personal qualities. See U.S. Department of Labor. *Secretary's Commission on Achieving Necessary Skills. Learning a Living: A Blueprint for High Performance*. A SCANS Report for America 2000. Washington, Apr. 1992.